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Facsimile**CONFIDENTIAL****Date:** January 29, 2003**Pages (including cover):** 4**TO:**

<u>Recipient Name</u>	<u>Firm/Company</u>	<u>Fax</u>	<u>Telephone</u>
Office of Petitions	U.S. Patent and Trademark Office	1.703.308.6916	1.703.308.6906

FROM: Peter G. Pappas Email address: pgppappas@sablaw.com
Telephone: 404.853.8064 User number: 1293 Client number: 17342-0011

DOCUMENTS

1. Urgent Petition To Commissioner Under 37 C.F.R. §1.181 Requesting Retraction of Publication of Application
2. Copy of Utility Patent Application Transmittal, dated July 9, 2001

RE: Serial No. 09/901,210
Filed: July 9, 2001 2000
Title: Method For High Definition Dip Transfer Printing and Article Made According to Method
Applicant: Royce J. Bowles, Jr. et al.
Attorney Docket No.: 17342-0011

FAX RECEIVED**JAN 29 2003****PETITIONS OFFICE**

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Atlanta ■ Austin ■ New York ■ Tallahassee ■ Washington, DC

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Royce J. Bowles, Jr. et al.

Serial No. 09/901,210

Filed: July 9, 2001

For: Method For High Definition Dip Transfer
Printing and Article Made According
to Method

Group Art Unit: 2861

Examiner: Anh Vo

#5

**URGENT PETITION TO COMMISSIONER UNDER 37 C.F.R. §1.181 REQUESTING
RETRACTION OF PUBLICATION OF APPLICATION**Office of Petitions
Commissioner for Patents
Washington, DC 20231

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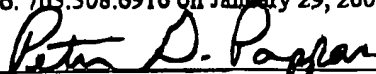
Dear Sirs:

PETITIONS OFFICE

Under 37 CFR. § 1.181, Applicants respectfully request retraction of all publication of U.S. Patent Application 09/901,210 entitled *Method For High Definition Dip Transfer Printing And Article Made According To Method*, including removal of the published application from any electronic database, such as the USPTO database accessible on the worldwide web via the USPTO website, and recall and destruction of any copies of the published patent application on any media including paper or electronic media, such as compact disk. The requisite fee of \$130.00 under 37 C.F.R. §1.17(h) is submitted herewith via Deposit Account No. 19-5029.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office, Office of Petitions, Fax No. 703.308.6916 on January 29, 2003.



Peter G. Pappas - Reg. No. 33205

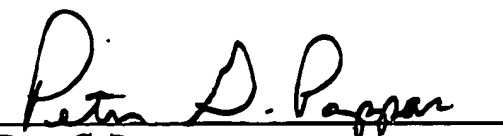
Serial N . 09/901,210

Title: Method for High Definition Dip Transfer Printing and Article Made According to Method
Page 2

Applicants' filed the above-referenced patent application on July 9, 2001 and simultaneously and conspicuously requested non-publication of the application in accordance with 37 CFR §1.213. This is evidenced by the attached copy of Applicants' Utility Application Transmittal, signed by the undersigned attorney and submitted to the Office along with the above-referenced patent application. Due to Office error, the proper request for non-publication was ignored and the application was scheduled for publication as Publication Number US-2003-0007053-A1. The Office error in publishing this application damages the Applicants by premature publication on Applicants otherwise proprietary information. The action requested by Applicants by this Petition is necessary to mitigate damage to the Applicants due to this Office error. Prompt ruling and compliance with Applicants' request is necessary to mitigate damage.

If there are any questions which can be resolved by a telephone conference, the Office is requested to contact the undersigned attorney via telephone at 404.853.8064.

Respectfully submitted,



Peter G. Pappas
Reg. No. 33205

SUTHERLAND ASBILL & BRENNAN LLP
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Docket No.: 17342-0011

UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.63(b))</i>	Attorney Docket No.	17342-0
	Named Inventor(s)	Royce J. Bowles, Jr. James Patrick Epling James P. Hand Samuel C. Ruffner Jeffrey Wayne Walker
	Title	Method for High Definition Dip Transfer Printing and Article Made According to Method
	Express Mail Label No.	EL 690 566 583 US

APPLICATION ELEMENTS	Commissioner for Patents ADDRESS TO: Box Patent Application Washington, D.C. 20231
1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i> 2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. 3. <input checked="" type="checkbox"/> Specification, Claims, and Abstract Total Pages 11 4. <input type="checkbox"/> Drawings Total Sheets 5. Oath or Declaration Total Pages a. <input checked="" type="checkbox"/> Newly executed - 2 ORIGINALS b. <input type="checkbox"/> Copy from prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 17 completed)</i> [Note Box 5 Below] (i) <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. <input type="checkbox"/> Incorporation by Reference <i>(usable if Box 5b is checked)</i> The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein. 7. <input checked="" type="checkbox"/> Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i) - It is hereby requested that the attached application not be published under 35 U.S.C. 122(b). The signature of the undersigned attorney for applicant certifies that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.	8. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.78 9. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 10. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. <input type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statement verifying identity of above copies 11. <input checked="" type="checkbox"/> Assignment: a. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & recording fee) - 2 ORIGINALS b. <input type="checkbox"/> Assignment is of record in parent application No. 12. <input type="checkbox"/> 37 CFR 3.73(b) Statement <i>(when there is an assignee)</i> <input type="checkbox"/> Power of Attorney by assignee 13. <input type="checkbox"/> English Translation Document (if applicable) 14. <input type="checkbox"/> Information Disclosure Statement (IDS) PTO- 1449 <input type="checkbox"/> Copies of IDS Citations 15. <input type="checkbox"/> Preliminary Amendment 16. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 17. <input type="checkbox"/> Certified Copy of Priority Document(s) 18. <input type="checkbox"/> Other: _____

19. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.78:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: _____

Prior application information: Examiner: _____ Group Art Unit: _____

Recite complete dependency back to first parent application: [Insert dependency]

20. **CORRESPONDENCE ADDRESS:**
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By: Peter D. Pappas Reg. No. 33205
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